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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,388	10/17/2001	Wayne John Harrison	JAMES-014B	6815

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STETINA BRUNDA GARRED & BRUCKER  
75 ENTERPRISE, SUITE 250  
ALISO VIEJO, CA 92656

EXAMINER
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MUSSER, BARBARA J

ART UNIT	PAPER NUMBER
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1733

DATE MAILED: 06/12/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/981,388

Applicant(s)

HARRISON, WAYNE JOHN

Examiner

Barbara J. Musser

Art Unit

1733

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brownlee(EP 0319252A2) in view of Olvey(WO 90/06222) and Peers, Jr. et al.(U.S. Patent 4,544,597).

Brownlee discloses forming a corrugated board by bonding a metallized polyester film to a paper liner and then adhering the paper liner to a corrugated web.(pg. 4, ll. 56- Pg. 5, ll. 5) The reference does not disclose corona treating or chemically treating the side of the film opposite the metallized layer prior to bonding it to the paper liner. Olvey discloses that corona treatment or chemical treatment of polymer films creates minute cracks in the film, resulting in a greater bonding area.(Pg. 9, ll. 11-17) It would have been obvious to one of ordinary skill in the art at the time the invention was made to corona or chemically treat one side of the polymer film prior to bonding to create a larger surface area for bonding. One in the art would appreciate that the corona or chemical treatment would occur on the side opposite the metallized side so that no damage was done to the metal layer.

Brownlee does not disclose that the liner is applied to the corrugated sheet while corrugating the sheet. Peer, Jr. et al. discloses a corrugating apparatus wherein the

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liner is applied to the corrugated sheet while corrugating the sheet, the liner comprising a metallized polymer film laminated to a paper liner.(Figure 2; Col. 2, ll. 29-34) It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the corrugating apparatus of Peer, Jr. et al. to form the corrugated board of Brownlee and Olvey since the corrugating apparatus of Peer, Jr. et al. is intended for use in bonding metallized polymer/paper laminates to corrugated webs, is economical, and does not significantly alter conventional corrugating apparatus rendering it easy to use.(Col. 1, ll. 35-39; Col. 2, ll. 29-34; Col. 8, ll. 18-23)

Regarding claims 2 and 8, Olvey discloses that biaxially oriented polyester can be used as the polymer film.(Pg. 4, ll. 10) Peer, Jr. et al. discloses that orienting the film increases the tear strength.(Col. 6, ll. 15-19) It would have been obvious to one of ordinary skill in the art at the time the invention was made to biaxially orient the polyester film of Brownlee since it is known to use biaxially oriented film in corrugated laminates(Olvey; Pg. 4, ll. 10) and since orientation increases the tear strength of the film.(Peer, Jr. et al.; Col. 6, ll. 15-19)

Regarding claims 3, 4, 8, and 9, Peer, Jr. et al. discloses pre-heating the liner laminate via a heating roll 4.(Figure 2)

Regarding claims 4 and 9, the liner is adhered to the corrugated web using an adhesive used for corrugating.(Peer, Jr. et al.; Col. 3, ll. 18)


Regarding claims 5 and 10, the corrugated web is fed from a pair of corrugating rolls.(Peer, Jr. et al.; Figure 2)

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Barbara J. Musser** whose telephone number is **(703)-305-1352**. The examiner can normally be reached on Monday-Thursday; alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Ball can be reached on 703-308-2058. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

  
BJM  
June 11, 2003

  
**SAM CHUAN YAO**  
**PRIMARY EXAMINER**